Date of Arrest: 06/22

United States District Court

DISTRICT OF ARIZONA

UNITED STATES OF AMERICA, Plaintiff, Vs. Pascual DOMINGO-Lopez AKA: Fernando GONZALEZ 095287987 YOB: 1982 Citizen of: Guatemala Defendant	Magistrate Case No. 18 - 1650 M J COMPLAINT FOR VIOLATION OF Title 8, United States Code, Section 1326(a), enhanced by (b)(1) (Re-Entry After Removal), Felony Felony

The undersigned complainant being duly sworn states:

COUNT 1

That on or about June 22, 2018 Defendant Pascual DOMINGO-Lopez, an alien, was found in the United States at or near San Luis, Arizona, within the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States to Mexico through the port of Phoenix, Arizona, on or about October 15, 2002. The Secretary of the Department of Homeland Security not theretofore having consented to any reapplication by the Defendant for admission into the United States, in violation of Title 8, United States Code, Section 1326(a), enhanced by (b)(1) (Felony).

And the complainant further states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Signature of Complainant
Rafael Flores
Border Patrol Agent

Sworn to before me and subscribed in my presence,

June 25, 2018 at Yuma

Yuma, Arizona City and State

Date

James F. Metcalf, United States Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

- 1

UNITED STATES OF AMERICA,

Vs.

Pascual DOMINGO-Lopez AKA: Fernando GONZALEZ 095287987

STATEMENT OF FACTUAL BASIS

The complainant states that this complaint is based upon the statements of the apprehending officers, that the Defendant was found and arrested on or about June 22, 2018, near San Luis, Arizona. Questioning of the Defendant by agents revealed that the Defendant is a citizen of Guatemala and not in possession of valid documents allowing him to enter or remain in the United States.

By questioning the Defendant and through record checks, agents determined the Defendant was first ordered removed at or near Florence, Arizona on or about October 7, 2002. The Defendant was most recently removed on or about October 15, 2002, through the port of Phoenix, Arizona, subsequent to a conviction in a Superior Court, State of Arizona, County of Maricopa, on or about June 28th, 2002, for the crime of Aggravated Assault-Serious Injury, a felony.

Agents determined that on or about June 22, 2018, the Defendant re-entered the United States without the Secretary of the Department of Homeland Security having consented to reapplication by the Defendant for admission into the United States.

Sworn to before me and subscribed in my presence,

June 25, 2018

Date

Signature of Complainant

Signature of Judicial Officer

Probable Cause Statement

I, Border Patrol Agent Rafael Flores, declare under penalty of perjury, the following is true and correct:

Defendant:

Pascual DOMINGO-Lopez

Dependents:

1; GUATEMALA

IMMIGRATION HISTORY: The Defendant is an illegal alien and has been apprehended by the United States Border Patrol on two (2) previous occasions. The Defendant has been removed a total of one

(1) times.

CRIMINAL HISTORY:

DATE

LOCATION

OFFENSE

DISPOSITION

06/28/2002

Mesa, Arizona

Aggravated assault

6 months

Narrative: The complainant states that this complaint is based upon the statements of the apprehending officers, that the Defendant was found and arrested on or about June 22, 2018, near San Luis, Arizona. Questioning of the Defendant by agents revealed that the Defendant is a citizen of Guatemala and not in possession of valid documents allowing him to enter or remain in the United States.

> By questioning the Defendant and through record checks, agents determined the Defendant was first ordered removed at or near Florence, Arizona on or about October 7, 2002. The Defendant was most recently removed on or about October 15, 2002, through the port of Phoenix, Arizona, subsequent to a conviction in a Superior Court, State of Arizona, County of Maricopa, on or about June 28th, 2002, for the crime of Aggravated Assault-Serious Injury, a felony.

Agents determined that on or about June 22, 2018, the Defendant re-entered the United States without the Secretary of the Department of Homeland Security having consented to reapplication by the Defendant for admission into the United States.

Executed on: June 24, 2018

Time: 05:59 AM MST

Signed: Rafael Flores, Border Patrol Agent